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CH/Mf

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

Writ Petition No. 357 /2003

PETITIONER : Deepak Kumar Gupta S/o Sri R.S. Gupta, Aged about- 27 years, R/o Village-Pardhi, Tahsil - Pal Distt- Sarguja.

Versus

RESPONDENTS : (1) State of C.G. Through Secretary, Panchayat & Gramin Vikas Vibhag D.K.S. Bhawan, Raipur(C.G.)

P. R. No. 3329/03
Presented by Shri M.V. Paranjpe
dated 30/10/03

(2) Dy.Director, Panchayat & Social Welfare Department, Ambikapur Distt - Sarguja (C.G.)

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Clerk to A.G. Bilaspur

(3) Chief Executive Officer, Janpad Panchayat Balrampur, Tahsil- Pal, Distt- Sarguja

(4) Sarpanch, Gram Panchayat - Pardhi, Janpad Panchayat, Balrampur, Tahsil- Pal, Distt- Sarguja.

WRIT PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 3571/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

11.2.2004

Petitioner by Shri Manoj Paranjpe, Advocate.

Respondents by Miss Sharmila Singhai, Deputy Govt. Advocate.

The petitioner has preferred this petition under Article 226/227 of the Constitution of India. The main grievance of the petitioner is that he was working as Panchayat Karmi in village-Pardhi, Tahsil- Pal, District Sarguja. Since the petitioner's relations with the village-Sarpanch were strained and the petitioner challenged certain illegalities of the Sarpanch (Respondent No.4), as a revenge the Respondent No.4 convened a meeting of Gram Panchayat and removed the petitioner from the post of Panchayat Karmi. The said panchayat meeting was convened in utter violation of the Chhattisgarh Gram Sabha Procedure of Meeting Rules 2001 and the petitioner against that action sent a notice Annexure P/5. The petitioner has prayed in this petition to quash the order dated 27.9.2003 by which the petitioner has been directed to hand over the charge to Shri B.K.Jaiswal. Learned counsel for the petitioner submits that by this petition the petitioner is not challenging the removal of the petitioner from the post of Panchayat Karmi as the petitioner was entitled to file an appeal before the S.D.O., which he has not preferred. Since alternative and efficacious remedy was available to the petitioner, which he has not chosen to avail, therefore this petition is not maintainable. As such, the petition is dismissed.

Consequently M(W)P No. 3229/2003, I.A.No. 10228/2003 and I.A.No. 10229/2003 stands disposed of.

Sd/-
L.C. Bhadoo
Judge

[पीछे देखिये